

Message Text

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ORIGIN OES-06

INFO OCT-01 EUR-12 EA-07 ISO-00 PM-04 SP-02 SS-15 SIG-01
SSO-00 NSCE-00 INRE-00 FEA-01 ACDA-07 CIAE-00 INR-07
IO-13 L-03 NSAE-00 NSC-05 EB-07 NRC-05 DODE-00
ERDA-05 TRSE-00 OMB-01 /102 R

DRAFTED BY OES/NET/RD:JDEVINE:AN
APPROVED BY OES/NET:MBKRATZER
PM/NPO:LNSENZO
S/P:JKAHAN
EUR/RPE:ASENS
EA/J:DSMITH (SUBSTANCE)
D:DTICE (SUBSTANCE)
S/S:S.GOLDSMITH
-----310432Z 040372 /62

O 310407Z DEC 76
FM SECSTATE WASHDC
TO AMEMBASSY TOKYO IMMEDIATE
AMEMBASSY MADRID IMMEDIATE
AMEMBASSY BERN IMMEDIATE
AMEMBASSY PARIS IMMEDIATE
AMEMBASSY LONDON IMMEDIATE
USMISSION EC BRUSSELS IMMEDIATE

C O N F I D E N T I A L STATE 314124

E.O. 11652: GDS

TAGS: PFOR, ENRG, JA, SP, SZ, FR, UK

SUBJECT: TRANSFER OF IRRADIATED FUEL ELEMENTS FOR
REPROCESSING

1. PURSUANT TO REQUISITE USG APPROVALS, THE FOLLOWING
IS THE TEXT OF THREE LETTERS TRANSMITTED ON DECEMBER 30
TO FERNAND SPAAK, HEAD, DELEGATION OF THE COMMISSION
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OF THE EUROPEAN COMMUNITIES, CONCERNING REQUESTS FOR
U.S. APPROVAL OF THE REPROCESSING OF SPANISH, JAPANESE,
AND SWISS IRRADIATED FUEL ELEMENTS IN THE UK AND FRANCE,
AS APPROPRIATE. PHRASES IN PARENTHESES REPRESENT DIFFER-
ENCES AMONG THREE LETTERS. COPIES WERE ALSO PASSED TO
RESPECTIVE EMBASSIES HERE, ALTHOUGH, GIVEN HOLIDAY

SCHEDULE, SOME MAY NOT TRANSMIT THEM TO CAPITALS UNTIL EARLY NEXT WEEK. ADDRESSEES, THEREFORE, SHOULD PROVIDE COPIES TO HOST GOVERNMENTS AND COMMISSION.

2. DEAR MR. SPAAK:

REFERENCE YOUR LETTER OF AUGUST 24, 1976 (IN LETTER RE JAPAN, "DECEMBER 17, 1976;" IN LETTER RE SWITZERLAND, "OCTOBER 13, 1976") TO MR. JAMES GARRETT REQUESTING MB-10APPROVAL FOR THE TRANSFER OF THIRTY-TWO IRRADIATED FUEL ELEMENTS (IN LETTER RE JAPAN, "SEVEN TONNES OF IRRADIATED FUEL;" IN LETTER RE SWITZERLAND, "123 IRRADIATED FUEL ASSEMBLIES") FROM THE (IN LETTER RE JAPAN, "TSURUGA REACTOR IN JAPAN TO THE UNITED KINGDOM;" IN LETTER RE SWITZERLAND, "MOHLEBERG REACTOR IN SWITZERLAND TO FRANCE" J. CABRERA REACTOR IN SPAIN TO THE UNITED KINGDOM FOR REPROCESSING (IN LETTER RE SWITZERLAND, "IN THE LA HAGUE PLANT").

THE U.S. GOVERNMENT IS CURRENTLY IN THE PROCESS OF PREPARING PLANS AND PROCEDURES FOR IMPLEMENTATION OF THE NUCLEAR POLICY STATEMENT OF OCTOBER 28, 1976. THAT STATEMENT EXPRESSES OUR SERIOUS CONCERN ABOUT THE PROLIFERATION POTENTIAL REPRESENTED BY THE SPREAD OF NATIONAL REPROCESSING CAPABILITY AROUND THE WORLD AND THE SEPARATED PLUTONIUM RESULTING FROM SUCH OPERATIONS. IT ALSO STATES THAT WE DO NOT INTEND TO PROCEED WITH COMMERCIALIZATION OF NUCLEAR FUEL REPROCESSING IN THE UNITED STATES PENDING THE DEFINITION AND CARRYING OUT OF AN EVALUATION PROGRAM TO DETERMINE WHETHER OR NOT REPROCESSING CAN BE ACCOMPLISHED IN A MANNER CONSISTENT WITH OUR NON-PROLIFERATION OBJECTIVES. OTHER
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NATIONS ARE TO BE INVITED TO PARTICIPATE IN THIS EVALUATION PROGRAM.

THE REQUEST FOR TRANSFER OF THIS PARTICULAR FUEL HAS BEEN REVIEWED WITHIN THE CONTEXT OF OUR EVOLVING POLICY, AND WE HAVE REACHED THE FOLLOWING CONCLUSIONS:

1. DISCUSSIONS WITH HER MAJESTY'S GOVERNMENT (IN LETTER RE SWITZERLAND, "THE FRENCH"), AND TALKS IN A MULTILATERAL FRAMEWORK, SHOULD BE INITIATED AT AN EARLY DATE WITH A VIEW TO DETERMINING WHETHER A REGIME CAN BE DEVELOPED THAT WOULD PERMIT INTERNATIONAL REPROCESSING SERVICES TO PROCEED ON A BASIS THAT MEETS OUR MUTUAL NON-PROLIFERATION OBJECTIVES. IF SUCH A REGIME IS DEVELOPED, THE U.S. WOULD EXPECT HER MAJESTY'S GOVERNMENT (IN LETTER RE SWITZERLAND, "THE FRENCH") TO GIVE SERIOUS CONSIDERATION TO PROCEEDING WITH REPROCESSING IN THAT CONTEXT. IF, HOWEVER, BNFL (IN LETTER RE SWITZERLAND, "LA HAGUE") REACHES THE POINT

WHERE IT IS PREPARED TO REPROCESS THE SPENT FUEL RECEIVED FROM SPAIN (IN LETTER RE SWITZERLAND,,SWITZERLAND", ETC.) UNDER THE AFOREMENTIONED MB-10 PRIOR TO MUTUAL AGREEMENT ON SUCH A REGIME, THEN, UNLESS SOME OTHER MUTUALLY AGREED MEANS TO DISPOSE OF THAT FUEL HAS BEEN REACHED BETWEEN THE

U.S.G., HMG AND SPAIN (IN LETTER RE JAPAN "HMG AND JAPAN;" IN LETTER RE SWITZERLAND, "THE FRENCH GOVERNMENT AND SWITZERLAND"), THE U.S. CONSENTS, PURSUANT TO THE PROVISIONS OF ARTICLE I, PARAGRAPH E. OF THE U.S.-EURATOM ADDITIONAL AGREEMENT FOR COOPERATION TO THE REPROCESSING OF THAT FUEL BY BNFL (IN LETTER RE SWITZERLAND "THE LA HAGUE PLANT");

2. THE RECOVERED PLUTONIUM SHOULD BE STORED IN THE UNITED KINGDOM (IN LETTER RE SWITZERLAND, "FRANCE") AND NOT BE USED OR TRANSFERRED FROM THE UNITED KINGDOM (IN LETTER RE SWITZERLAND, "FRANCE") WITHOUT U.S. APPROVAL;
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3. IF AN INTERNATIONAL PLUTONIUM STORAGE REGIME IS ESTABLISHED, THE PARTIES SHOULD CONSULT WITH A VIEW TO TRANSFERRING THE RECOVERED PLUTONIUM TO SUCH A FACILITY;

4. APPROVAL OF THIS REQUEST SHOULD NOT BE CONSTRUED TO IMPLY APPROVAL OF FUTURE REQUESTS AS OUR NON-PROLIFERATION POLICY EVOLVES.

ACCORDINGLY, BASED ON THE FOREGOING CONCLUSIONS, WE HAVE APPROVED THIS PARTICULAR FUEL TRANSFER SUBJECT TO RECEIPT OF AGREEMENT BY YOU AND THE OTHER PARTIES TO THESE CONDITIONS. SINCERELY (SIGNED) NELSON F. SIEVERING, JR.,
ASSISTANT ADMINISTRATOR, INTERNATIONAL AFFAIRS.

3. FOR PARIS, LONDON, AND TOKYO: YOU SHOULD EMPHASIZE THAT DISCUSSIONS REFERRED TO IN NUMBERED PARAGRAPH ONE DO NOT REPRESENT ANY NEW FORUM OR UNDERTAKING, BUT RATHER THOSE THAT WOULD HAVE TAKEN PLACE IN ANY EVENT PURSUANT TO THE PRESIDENT'S OCTOBER 28 NUCLEAR POLICY STATEMENT IN THE LONDON SUPPLIERS GROUP AND ASSOCIATED BILATERALS. IT SHOULD BE MADE CLEAR THAT REFERENCE TO A POSSIBLE "REGIME" FOR "INTERNATIONAL REPROCESSING SERVICES" SHOULD BE INTERPRETED AS FINDING WAYS FOR SUPPLIERS AND CONSUMERS TO ENSURE RELIABLE NUCLEAR FUEL SUPPLY AND NOT NECESSARILY AS ESTABLISHMENT OF AN INTERNATIONAL INSTITUTION.

4. FOR PARIS: YOU SHOULD ALSO INDICATE U.S. AWARENESS OF FACT THAT, UNLIKE UK, FRANCE WILL BE IN A POSITION

TO PROCEED IN VERY NEAR FUTURE WITH REPROCESSING SERVICE
UNDER CONTRACT IN QUESTION. YOU SHOULD NONTHELESS
STATE THAT, WHILE U.S. DESIRE FOR EARLY DISCUSSIONS ON
REPROCESSING SERVICES IN CONNECTION WITH NON-PROLIFERATION
REMAINS, NUMBERED PARAGRAPH ONE SHOULD NOT BE CON-
STRUED AS INDIRECTLY SEEKING TO DELAY FRANCE'S REPROCESS-
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ING PLANS UNDER THIS CONTRACT.

5.FOR USEC,BERN,MADRID: IF QUESTIONED ON REFERENCE TO
DISCUSSIONS ON A POSSIBLE "REGIME" FOR REPROCESSING
SERVICES, YOU SHOULD CITE THE OCTOBER 28 PRESIDENTIAL
NUCLEAR POLICY STATEMENT AND INDICATE THAT THIS REFERS
TO NEED FOR SUPPLIERS AND CONSUMERS TO ENSURE RELIABLE
NUCLEAR FUEL SUPPLY AND NOT NECESSARILY AS ESTABLISHMENT
OF AN INTERNATIONAL INSTITUTION.
ROBINSON

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